

10/500913

DT04 Rec'd PCT/PTO 0 8 JUL 2004
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Van Gilst et al.

Serial No.: To be assigned

Filed: July 8, 2004

For: USE OF ERYTHROPOIETIN FOR
THE PREVENTIVE OR CURATIVE
TREATMENT OF CARDIAC FAILURE

Examiner: To be assigned

Group Art Unit: To be assigned

Attorney Docket No.: 2578-6485US

NOTICE OF EXPRESS MAILING

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Person making Deposit: Christopher Haughton

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56(b) exists.

Foreign Patent Documents

<u>Document No.</u>	<u>Publication Date</u>	<u>Patentee</u>
WO 00/61164	10-19-2000	Kenneth S. Warren Laboratories
WO 01/82952 A2	11-8-2001	Action Pharmaceuticals APS
WO 03/057242 A1	07-17-2003	Crucell Holland B.V.

Other Documents

PCT International Search Report, PCT/NL03/00011, dated April 24, 2003.

PCT International Preliminary Examination Report, PCT/NL03/00011, December 10, 2003.

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, Applicants hereby identify the following listed copending applications naming a common inventor(s):

Attorney Docket No.: 2183-5427US
Serial No.: 10/189,809
Filing Date: 7/3/2002
Title: GENE THERAPY TO PROMOTE ANGIOGENESIS AND/OR THE
TREATMENT OF HEART FAILURE

Attorney Docket No.: 2578-4622.1US
Serial No.: 10/432,105
Filing Date: 5/20/2003
Title: ADENOVIRAL REPLICONS

Attorney Docket No.: 2578-6386US
Serial No.: 10/494,140
Filing Date: 4/29/2004
Title: METHODS AND MEANS FOR PRODUCING PROTEINS WITH
PREDETERMINED POST-TRANSLATIONAL MODIFICATIONS

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Attorney Docket No.: 2578-6485US

Attorney Docket No.: 2578-6158US
Serial No.: 10/698,086
Filing Date: 10/30/2003
Title: METHODS FOR THE IDENTIFICATION OF ANTIVIRAL
COMPOUNDS

This Information Disclosure Statement is filed within three (3) months of the filing date of the above-identified application, and no certification pursuant to 37 C.F.R. § 1.97(c) or a fee pursuant to 37 C.F.R. § 1.17(p) is required.

Respectfully submitted,

G. Scott Dorland, Ph.D.
Registration No. 51,622
Attorney for Applicant(s)
TRASKBRITT, P.C.
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: July 8, 2004
GSD/bv

Enclosures: Form PTO-1449 or PTO/SB/08
Cited Documents

Document in ProLaw

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

2

Complete if Known

Application Number

To be assigned

Filing Date

July 8, 2004

First Named Inventor

Van Gilst et al.

Group Art Unit

To be assigned

Examiner Name

To be assigned

Attorney Docket Number

2578-6485US

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		WO 00/61164	10-19-2000	Kenneth S. Warren Laboratories		
		WO 01/82952 A2	11-8-2001	Action Pharmaceuticals APS		
		WO 03/057242 A1	07-17-2003	Crucell Holland B.V.		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	To be assigned
Filing Date	July 8, 2004
First Named Inventor	Van Gilst et al.
Group Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	2578-6485US

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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